GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department – Sri Ch. Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District - Initiation of disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charge - Issued.

==========

REVENUE (VIGILANCE.I) DEPARTMENT

G.O.RT.No. 505 Dated: 08-06-2020

-o0o-

O R D E R:

It is proposed to hold an enquiry against Sri Ch. Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri Ch. Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri Ch. Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Ch. Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri Ch. Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Ch. Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Ch.Mala Kondaiah, Special Deputy Collector, LA, SRBC, Nandyal, Kurnool District
through the Chief Commissioner of Land Administration, A.P.,Vijayawada.

Copy to:
The Chief Commissioner of Land Administration, A.P., Vijayawada.(with a request to serve the order on the individual and furnish served copy of this G.O. within a week).
The District Collector, Kurnool.
S.F./S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI CH. MALA KONDAIAH, SPECIAL DEPUTY COLLECTOR, L.A, SRBC, NANDYAL, KURNOOL DISTRICT

*****

Article of Charge:

Sri Ch.Mala Kondaiah, Special Deputy Collector, L.A, SRBC, Nandyal has committed grave misconduct in as much as he has irregularly presented the bills pertaining to payment of submerged structures in Owk Reservoir, Kurnool District, causing much inconvenience to the District Administration.

Thus, Sri.Ch. Mala Kondaiah, Special Deputy Collector, L.A, SRBC, Nandyal, by the above mentioned acts, has exhibited lack of integrity and devotion to duty, which is unbecoming of a Government servant and thereby violated the Rule 3 of APCS (Conduct) Rules, 1964.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI CH. MALA KONDAIAH, SPECIAL DEPUTY COLLECTOR, L.A, SRBC, NANDYAL, KURNOOL DISTRICT

*****

The Executive Engineer, SRBC Division-1, Owk has stated that as per the request of Special Deputy Collector, LA, SRBC, Nandyal, he has furnished the valuations statement and estimates for the houses in Survey No.55 of Cherlopalli Village of Owk Mandal as the beneficiaries have withdrawn W.P.No.19707/2008 filed in the Hon'ble High Court of Andhra Pradesh for arranging payment to the beneficiaries for their houses which were submerged in Owk Reservoir.

Basing on the report of Executive Engineer SRBC, Owk, the then Special Deputy Collector, LA, SRBC, Nandyal has submitted the exgratia proposals to the Special Collector SSP Kurnool for 40 Structures existing in A.W. Land (which was transferred from A.W. to Village Site Poramboke vide Collector & District Magistrate, Kurnool proceedings No. R. Dis.5248/54, dated 26.03.54) in Sy.No.55 of Chertogall Village of Owk Mandal for 2.00 Acres at (0.05 each) for an amount of Rs.6,63,77,552/- by fixing the Market Value at Rs. 185/- Square Meter and requested to approve the exgratia proposals.

As seen from the Joint inspection Notes of the Special Collector, SSP Kurnool, SDC SRBC Nandyal and DEE SRBC, Owk, the dates furnished by them are different.

The Deputy Executive Engineer, SRBC, Division No.2-3 Owk has not furnished the date. The then Special Collector, SSP, Kurnool has sanctioned the exgratia proposals in proceedings No Rc.B6/66/2012 Dated:30/05/2013 for an amount of Rs.6,63,77,552/-. The then Special Collector, SSP, Kurnool has also addressed a letter to the chief Engineer (P), Irrigation, Kurnool vide Rc B5/LOCA /SRBC/NDL/89/2017 Dated:10.06.2013 with a request to release the LOC for the above amount under the end Account No.26 - D&A.

Further it is noted that the villagers 40 Members of Cherlopalli village of Owk Mandal have stated in their representations to the then Special Collector, SSP, Kurnool on 19.12.2018 that their houses are submerged in Owk Reservoir but no exgratia paid to them since five (5) years, duly enclosing their ID cards.

The then Special Deputy Collector, L.A SRBC Nandyal has addressed a letter to the Executive Engineer, SRBC Division-2-3, Owk Mandal with a request to provide a copy of Original Requisition proposals along with combined sketch based on which the Peg marking has been done on the field.

Now the present Special Deputy Collector, LA, SRBC, Nandyal has addressed a letter Dated: 10/01/2020 to the Special Collector stating that basing on the proceedings issued by the then Special Collector, SSP, Kumnal the present bill is presented online (CFMS) vide token No 20192078854 to an amount of RS. 6,63,77,552/- towards payment of exgratia to the beneficiaries of Cherlopalli Village of Owk Mandal.

On verification of file of Special Collector SSP Kurnool und SDC, SRBC Nandyal, prima facie following irregularities are noticed:-

1. Requisition proposals for acquisition of land in Sy.No.5 of Charlopalli Village owk Mandal filed by EE, SRBC is not available on records.
2. According to the provisions of the act the photos of the structures filed. But the SDC, SRBC Nandyal did not file photos of structures coming under acquisition.
3. It is also noted that the file of Special Collector SSP Kurnool was not be through proper channel.
4. It is also noticed that PV statement has not been prepared.
5. It is noted that without approval of PV proposals the then Special Collector Sanctioned exgratia.
6. The present SDC, SRBC, Nandyal has presented the Bill No.2019-2788.Dt:06-01-2020 for rupees Rs.6,63,77,552/- after lapse of six years seven months without getting reverified or getting authorization of sanction orders of Special Collection SSP Kurnool.

(Contd..)

Therefore, Sri Ch. Mala Kondaiah, Special Deputy Collector, L.A., SRBC, Kurnool has presented the bills without following due process and due diligence and thus rendered himself liable for disciplinary action for major penalty.

Hence the Charge.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI CH. MALA KONDAIAH, SPECIAL DEPUTY COLLECTOR, L.A, SRBC, NANDYAL, KURNOOL DISTRICT ARE PROPOSED TO BE SUSTAINED.

*****

Enquiry report Rc.CC/55/2020, dated:28.02.2020 of Joint Collector, Kurnool

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI CH. MALA KONDAIAH, SPECIAL DEPUTY COLLECTOR, L.A, SRBC, NANDYAL, KURNOOL DISTRICT ARE PROPOSED TO BE SUSTAINED.

-Nil-

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER